THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 19th day of September,2007

W.P.No.21375 of 1998

Between:-

G. Ravi … Petitioner

and

The Managing Director, A.P.
Scheduled Caste Cooperative
Finance Corporation, Hyderabad
and others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.21375 of 1998

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus to declare the action of the respondents in not granting the pay scale as applicable to the post of Work Inspector to the petitioner as arbitrary and illegal and consequently to direct the respondents to put the petitioner on the pay scale of Rs.950-30-1250-35-1670 from the date of his initial appointment.

It appears, petitioner was working as a Work Inspector with the respondent-society on a monthly consolidated pay, since February,1987. As on the date of filing the Writ Petition in the year 1998, he was drawing an amount of Rs.2,400/- per month. According to the petitioner, he is entitled to the pay scale of Rs.950-1670 attached to the post of Work Inspector. Though similarly placed persons were put on the said time scale, petitioner and some other persons were not extended the same benefit. Under those circumstances, they had to file a Writ Petition being W.P.No.1037 of 1995 and while admitting the said Writ Petition, in W.P.M.P.No.1228 of 1995, this Court by an interim order dated 24-1-1995 directed the respondents to pay the petitioners therein (including the petitioner herein, who is 4th the petitioner therein) the regular scale of pay attached to the post of Work Inspector i.e. Rs.910-1625 as revised from time to time with all consequential allowances from the date of their initial appointment and continue to pay the same. It appears, though the said Order dated 24-1-1995 was given effect to in respect of

petitioners 1 to 3 therein, the petitioner herein, who was the 4th petitioner therein, was denied the said benefit. Therefore, he made several representations, but there was no response from the respondents. Hence, this Writ Petition.

According to the petitioners, in spite of there being an Order by this Court in W.P.M.P.No.1228 of 1995 in Writ Petition No.1037 of 1995 and in spite of the fact that similar benefit was extended to his juniors, he is arbitrarily denied with the pay scale attached to the post of Work Inspector and still he is working on a consolidated monthly payment. Therefore, the action of the respondents is arbitrary and illegal.

No counter is filed. However, learned counsel for the respondents stated that the petitioner cannot seek for such a relief as a matter of right. It is for the authorities to examine each case and extend the benefit. When it is not extended as per the direction of this Court in W.P.M.P. No.1228 of 1995 in Writ Petition No.1037 of 1995, it must be deemed that the case of the petitioner was rejected.

Though the respondents' state that the case of the petitioner to grant the pay scale attached to the post of Work Inspector was rejected, no evidence is placed before this Court in this regard. In the facts and circumstances of the case, without expressing any opinion on merits, the respondents are directed to re-examine the case of the petitioner for extending the pay scales attached to the post of Work Inspector on par with others and pass appropriate orders, within a period of two months from the date of receipt of a copy of this Order and communicate the same to the petitioner.

With the above direction, the Writ Petition is disposed of. No order as to costs.

19-9-2007

prk